

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
JOSE L. ROMAN PADILLA : CASE NO. 5-19-04446

Debtor : CHAPTER 13

U.S. BANK, NA, Trustee for the :
Pennsylvania Housing Finance Agency :

Movant, :

vs. :

JOSE L. ROMAN PADILLA :

Respondents. :

DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM
AUTOMATIC STAY UNDER SECTION 362

AND NOW COMES, Jose L. Roman Padilla, the Debtor, and files an Answer to U.S. Bank's

Motion for Relief From the Automatic Stay:

1. Jose L. Roman Padilla (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.

2. Movant alleges that Debtor has failed to make post-petition mortgage payments.

3. Debtor entered into a Forbearance Agreement for the payments for March 2020 through July 2020. Debtors Counsel is in the process of contacting the Debtors to ascertain if the remaining payments have been made and/or to ascertain if Debtors are in possession of the funds to cure the alleged default.

4. In the event there remains an arrears, the Debtors wish to enter into a Stipulation to cure the arrears over a six (6) month period and/or include the arrears in an amended Plan.

5. Movant is not entitled to relief from the automatic stay as the arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and/or a six (6) month Stipulation, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtors respectfully request that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: December 1, 2020

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID# 59887
381 N. 9th Avenue
Scranton, PA 18504
(570) 347-7764

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 1, 2020, he caused a true and correct copy
of Debtors' Answer to Movant's Motion for Relief from the Automatic Stay to be served Via First Class
United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Charles J. DeHart, III, Esq. at dehartstaff@ramapo.com

Lee Haller, Esquire at lhaller@pkh.com

Dated: December 1, 2020

/s/Tullio DeLuca
Tullio DeLuca, Esquire